

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/702,299	MCGRATH ET AL.	
	Examiner	Art Unit	
	James R. Harvey	2833	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 3-14-05.
2. ☒ The allowed claim(s) is/are 25-42 and 66-69.
3. ☒ The drawings filed on 04 October 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

***DETAILED ACTION***

***Claim Cancellations***

-- The cancellation of claims 1-24 and 43-65 has been made of record.

***Divisional Application***

-- Applicant's statement concerning that this application is a division of Application No. 09/815113, filed 3-22-01 is acknowledged.

***PRIOR ART***

-- Applicant's request in papers dated 1-21-05 concerning MPEP §2001.06(b) is acknowledged. The prior art of record in the parent application (09/815113; now US Patent 6,722,896) has been reviewed.

***Election/Restrictions***

-- Applicant's election of Species 1 ( figures 1-2A, 7B-7D and 10-23 ) in papers dated 1-21-05 is acknowledged. Applicant timely traversed the election requirement in papers dated 1-21-05.

Applicant's traversal and related arguments are seen to be based upon the consideration that this application is a divisional of patent application 09/815113 ( US Patent 6,722,896 ) and that claims 1-24 and 43-65 have been cancelled. Applicant's argument concerning that the 5 way species restriction should have been a 3 way restriction in light of the cancellation of the above mentioned claims in papers dated 1-21-05 is convincing and the examiner agrees with applicant's species analysis and resulting election as noted above.

***Reasons for Allowance***

- The allowed claims are 25-42 and 66-69.
- The following is a statement of reasons for the indication of allowable subject matter:

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The prior art does not show a single strand of conductive wire that is bent upon itself to form a dual strand, open loop contact having opposing first and second ends and the contact first and second ends extend through the connector flexible body portion in combination with all the other elements of the claim and the examiner knows of no permissible motivation to combine the prior art such that the subject matter as a whole would have been obvious at the time the invention was made. In particular, Fjelstad ( figure 18; US 5989939 ) does not show the contact first and second ends extend through the connector flexible body portion and Li et al. ( figure 3d; 6264476 ) does not show a single strand of conductive wire or an open loop; column 6, line 42 identifies element 36 as a twisted pair of thin wires.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


### *Conclusion*

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 571-272-2007. The examiner can normally be reached on 8:00 A.M. To 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 extension 33.

James R. Harvey, Examiner

jrh  
May 20, 2005

  
RENEE LUEBKE  
PRIMARY EXAMINER